

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE ENRIQUE FLORES,

Defendant.

3:21-CR-00055-LRH-CLB

**Preliminary Order of Forfeiture**

This Court finds Jose Enrique Flores pled guilty to Count One of a One-Count Superseding Criminal Information charging him with possession of an unregistered firearm silencer in violation of 26 U.S.C. §§ 5841 and 5861(d). Superseding Criminal Information, ECF No. 46; Change of Plea, ECF No. 49; Plea Agreement, ECF No. 47.

This Court finds Jose Enrique Flores agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information. Superseding Criminal Information, ECF No. 46; Change of Plea, ECF No. 49; Plea Agreement, ECF No. 47.

This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information and the offense to which Jose Enrique Flores pled guilty.

The following property is (1) any firearm or ammunition involved in or used in any violation of any other criminal law of the United States, 26 U.S.C. §§ 5841 and 5861(d) and (2) any firearm involved in any violation of 26 U.S.C. §§ 5841 and 5861(d) and is subject to forfeiture under 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c) and 26 U.S.C. § 5872(a) with 28 U.S.C. § 2461(c):

1 I. Firearm silencer with no serial number (property).

2 This Court finds that on the government's motion, the Court may at any time enter  
3 an order of forfeiture or amend an existing order of forfeiture to include subsequently  
4 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

5 This Court finds the United States of America is now entitled to, and should, reduce  
6 the aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
8 DECREED that the United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
10 rights, ownership rights, and all rights, titles, and interests of Jose Enrique Flores in the  
11 aforementioned property are forfeited and are vested in the United States of America and  
12 shall be safely held by the United States of America until further order of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
14 of America shall publish for at least thirty (30) consecutive days on the official internet  
15 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
16 describe the forfeited property, state the times under the applicable statute when a petition  
17 contesting the forfeiture must be filed, and state the name and contact information for the  
18 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).  
19 Notice is served on any individual or entity on the date when it is placed in the mail,  
20 delivered to a commercial carrier, or sent by electronic mail under Fed. R. Crim. P.  
21 32.2(b)(6)(D) and Supplemental Rule G(4)(b)(iii)-(v).

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
23 or entity who claims an interest in the forfeited property must file a petition for a hearing to  
24 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C. §  
25 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under 21  
26 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the  
27 petitioner's right, title, or interest in the property, the time and circumstances of the,

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1 petitioner's acquisition of the right, title or interest in the property, any additional facts  
2 supporting the petitioner's claim, and the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
4 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal  
5 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, within thirty (30) days  
6 of the final publication of notice on the official internet government forfeiture site,  
7 www.forfeiture.gov, or his receipt of written notice, whichever is earlier.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
9 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
10 Attorney's Office at the following address at the time of filing:

11 Daniel D. Hollingsworth  
12 Assistant United States Attorney  
13 Misty L. Dante  
14 Assistant United States Attorney  
501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
16 described herein need not be published in the event a Declaration of Forfeiture is issued by  
17 the appropriate agency following publication of notice of seizure and intent to  
18 administratively forfeit the above-described property.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
20 copies of this Order to all counsel of record.

21 DATED Nov. 14, 2023.

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24 LARRY R. HICKS  
25 UNITED STATES DISTRICT JUDGE  
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